

Town of Jackson Planning Board
Minutes – October 14, 2021 – Public Hearing/Regular Meeting
- UNOFFICIAL UNTIL APPROVED

Call To Order: Bill Terry, Chair, called the meeting to order at 7:09 P.M. Attending were Members Bill Terry, David Campbell, Sarah Kimball, Kathleen Dougherty, Scott Badger (via Zoom), Selectman's Representative John Allen (via Zoom), Alternate James Wasco, and Alternate Dick Bennett; Member Chris McAleer and Alternate Huntley Allan were unable to attend. Public attendees included Hank Benesh and Kevin Tilton, LLS of HEB Engineers. Audio and video recorded by Hank Benesh will be made available on Jacksonflicks.com. Bill Terry appointed Alternate James Wasco as a voting member.

Approval Of Minutes: Minutes from the September 9, 2021, meeting were reviewed. Member Kimball moved to approve the minutes, and Alternate Wasco seconded. The motion was approved unanimously.

Public Comment: Public attendees did not express any public comments for non-agenda discussion.

PUBLIC HEARING: Chairman Terry called the Public Hearing to order at 7:10 P.M. Voting members were Bill Terry, David Campbell, Sarah Kimball, Scott Badger, John Allen, Kathleen Dougherty, and Jim Wasco.

Lot Subdivision Application: Owners Matthew and Leah Falconeiri proposed a minor subdivision of 12 Jackson Highlands Road Tax Map V07 Lot 55 into two lots (total property is 7.8 acres). Member Kimball asked if any structures are on the property now - no structures currently. Two small lots next to the property facing Jackson Highlands Road are owned by the Town of Jackson. The applicants are looking to purchase those lots next year with Town approval. Member Campbell clarified frontage and driveway. Member Bennett asked if this property had been reviewed in previous years. Member Terry asked about the well radius area crossing over the proposed property line. A note must be added to the revised plat as required by subdivision regulations. Member Campbell presented the check list to the board. In addition, the DES application is pending and needs to be updated before the plat meets requirements.

Member Scott moved to accept the application, and Member Dougherty seconded; motion was approved unanimously. Chairman Terry requested a motion to approve the application dependent on the completion of required changes to the plat. Member Kimball and Alternate Wasco seconded; motion approved unanimously.

Chairman Terry adjourned the Public Hearing at 7:32 P.M.

Lot numbering system – Chairman Terry presented a request from the Town Assessor to organize the lot numbering system. The Assessor requested all numbers change; Board discussed the issues surrounding trying to change all lot numbers. Chairman Terry recommended that we have a published number system, so there is no confusion in the future. Currently the Town has various methods. Assessor is recommending using a numeric method. This requires a housekeeping update to the Zoning Ordinance in the Subdivision regulation section. Board agreed that we will use a numeric numbering system (i.e., number-dash-number system) prospectively. We will draft language for the Zoning Ordinance for a vote at the next meeting.

Groundwater Protection Ordinance: Member Kimball reviewed sections of the model ordinance. Alternate Bennett suggested the word “gasoline” be changed to “petroleum” in the section on retail sales, all agreed. Member Kimball said an important section is to define what constitutes the Ground Water Protection District, and the requirements associated with defining. Member Kimball explained the section of Spill Prevention Control and Countermeasure Plan is noticeably clear. Member Kimball expressed that the language was somewhat confusing in other sections; she proposed a rewrite to combine the sections on performance standards, conditional uses, and exceptions. Once Member Kimball has completed the revisions, it will be presented to the Board for review and approval. She will send a draft to members in the next two weeks. There will also need to be public hearings and a warrant article for approval at the annual meeting in 2022. Discussion followed on reference to residential property in the model ordinance, but Board members agreed size/amount of substance should be the factor considered. Member Campbell asked for Board discussion whether this should become part of the current Zoning Ordinance or a separate document similar to the subdivision regulations. Board agreed that it should be part of the current Zoning Ordinance. Board agreed that a Public Hearing will be held to discuss the new ordinance following Board review. Voter approval to adopt would be required in March.

Short-Term Rental (STR) Ordinance Discussion: Chairman Terry raised the issue of questions regarding administration of the Conditional Use Permit (CUP) on transfer of the property to a new owner. Town Counsel Peter Malia confirmed that the CUP goes with the property but there is no update provision in the Zoning Ordinance. Member Badger said there should be an update to the application and a new affidavit signed by the new owner. Selectmen could impose a fee to cover the cost of processing the update. The Board recommends updating the language in the Zoning Ordinance, with a draft for approval by the Board at the next meeting. This topic would be included in the proposed Public Hearings and subject to voter approval in March.

Short-Term Rental (STR) Applications: The Board reviewed two (2) applications for STR registrations for multiple parties and at different addresses. Member Campbell noted that the applications did not include copies of advertisement of their respective properties. The company managing the properties had offered to submit advertisement copies after the approval of the applications by the Board of Selectmen. Chairman Terry suggested that this be noted in the Planning Board’s comments to the Board of Selectmen.

- Marquette, Stephen, and O'Brien Matthew – location 70 Hurlin Lane V02 Lot 10-5D. Member Campbell presented that application meets the requirements. No discussion. Member Scott moved to accept the application with comment regarding the pending advertisement and Member Kimball seconded. The motion was accepted unanimously.
- Ramierez, Michelle and Garganese, Vincenzo - 28 N. Hampshire V7 Lot 101. Member Campbell presented application that meeting requirements for new applicant. No advertisement was provided with application, this is a new application. Member Badger moved to accept the application with comment regarding the pending advertisement, and Member Dougherty seconded. The motion was approved unanimously.

Member Dougherty moved to adjourn the meeting, and Member Badger seconded. The motion was approved unanimously, and the meeting was adjourned at 8:33 P.M.

Respectfully submitted by David L. Campbell, Secretary